

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
Eastern DIVISION

FILED

AUG 27 2004

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO

Anderson-Torrey

NAME OF THE PLAINTIFF OR PLAINTIFFS

(Enter above the full names of each plaintiff in this action.)

- vs -

Case No.

Nestlé Purina Pet Care Company (NPPC)

Jury Trial Demanded

Debbie Gehrin (Employee)

NAME OF THE DEFENDANT OR DEFENDANTS

(Enter above the full name of ALL defendant(s) in this action. Fed. R. Civ. P. 10(a) requires that the caption of the complaint include the name of all the parties. Please attach additional sheets if necessary.)

4 : 04CV01156DJS

COMPLAINT UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

1. This action is brought pursuant to Title VII of the Civil Rights Act of 1964, as amended, for employment discrimination. Jurisdiction is specifically conferred on the Court by 42 U.S.C. § 2000e-5. Venue is proper in this district under 42 U.S.C. § 2000e-5(f)(3).

2. Plaintiff Felicia E. Anderson-Torrey
(name of plaintiff)

resides at: 414 Christian Ave., St. Louis
(street address) (city)

Missouri, 63147
(state) (ZIP code)

Phone: (314) 385-6317

3. The defendant Nestle' Purina Pet Care Company
(name of defendant)

is an employer, employment agency, or labor organization, as
defined in 42 U.S.C. § 2000e, and lives at or its place of business
is located at:

901 Chouteau Ave., St. Louis
(street address) (city)

—, Missouri, 63102
(county) (state) (zip code)

NOTE: IF THERE IS MORE THAN ONE PERSON FILING THE COMPLAINT OR IF
YOU ARE SUING MORE THAN ONE PERSON OR COMPANY, PLEASE ADD THE NAMES
AND ADDRESSES OF THE ADDITIONAL PERSONS OR COMPANIES ON A SEPARATE
SHEET OF PAPER. COPY THE LANGUAGE IN PARAGRAPHS 2 AND 3 FOR
ADDITIONAL PLAINTIFFS OR DEFENDANTS.

4. The address at which plaintiff sought employment or was
employed by the defendant(s) is: 801 Chouteau Ave.
(street address)

St. Louis, —, Missouri, 63102
(city) (county) (state) (zip code)

5. Defendant discriminated against the plaintiff in the
manner indicated in paragraphs 9 and 10 of this complaint on or
about: March 3, 2004. August 28, 2002
(month) (day) (year)

6. Plaintiff filed charges against the defendant with the
Missouri Commission on Human Rights, charging defendant with the
acts of discrimination indicated in paragraphs 9 and 10 of this
complaint, on or about March 3, 2004.
(month) (day) (year)

7. Plaintiff filed charges against the defendant with the Equal Employment Opportunity Commission, charging defendant with the acts of discrimination indicated in paragraphs 9 and 10 of this complaint, on or about March 3, 2004.
(month) (day) (year)

8. The Equal Employment Opportunity Commission issued a Notice of Right to Sue Letter which was received by the plaintiff on June 23, 2004, a copy of which is attached to
(month) (day) (year)
this complaint.

9. The acts that I complain of in this suit, concern defendant's:

(a) ☐ failure to employ me.

(b) ☐ termination of my employment.

(c) ☒ failure to promote me.

(d) ☒ other acts (specify): Equal Pay Act

Please see attachment

10. Defendant's action(s), as stated in paragraph 9, is discriminatory with respect to the following:

(a) ☒ my race.

(d) ☐ my national origin

(b) ☐ my religion.

(f) ☒ other (specify)

(c) ☒ my sex.

Retaliation

11. The circumstances under which defendant(s) discriminated against the plaintiff were as follows (Note: if you are suing more than one defendant, please complete this question with regard to

each of the named defendants): Inconsistent requirements
for promotion, salary and job requirements
which causes inequities in promotions, salary
disparity and job performance

Please see attached document

(Attach additional sheets as necessary.)

August 27, 2004

EQUAL PAY ACT of 1963

Circumstances of complaint:

I HAVE BEEN EMPLOYED WITH NESTLÉ PURINA PET CARE COMPANY (NPPC) SINCE AUGUST 28, 1986. I BEGAN WORKING IN THE APPLICATION SUPPORT GROUP ON AUGUST 28, 2002. I WAS REFUSED THE PROMOTIONAL INCREASE I EXPECTED; INSTEAD IT WAS A LATERAL MOVE. IN PREVIOUS MONTHS AND YEARS THE JOB WAS CONSISTENTLY POSTED AS A GRADE 14, WHICH IS TWO GRADES HIGHER THAN MY CURRENT GRADE OF 12.

SUBSEQUENTLY, THERE HAVE BEEN TWO (2) COWORKERS HIRED AND THEY WERE BOTH PROVIDED THE PROMOTIONAL GRADE OF 14 OR ABOVE WHICH IS COMMENSURATE WITH THE JOB DUTIES.

ALL OF MY COWORKERS IN THE APPLICATION SUPPORT GROUP ARE A GRADE 14 OR HIGHER.

COMPLAINT UNDER TITLE VII of the CIVIL RIGHTS ACT of 1964

Circumstances of complaint:

I HAVE BEEN EMPLOYED WITH NESTLÉ PURINA PET CARE COMPANY (NPPC) SINCE AUGUST 28, 1986. I HAVE BEEN HARRASSED AND DISCRIMINATED AGAINST BY DEBBIE GEHRIN, DIRECTOR, INFORMATION SYSTEMS APPLICATION SUPPORT, MY IMMEDIATE SUPERVISOR. MS. GEHRIN REFUSED AND DENIED ME A PROMOTIONAL OPPORTUNITY ON MULTIPLE OCCASIONS; SALARY COMMENSURATE WITH THE JOB DUTIES PERFORMED, WHICH WOULD HAVE BEEN CONSISTENT WITH OTHERS IN THE APPLICATION SUPPORT GROUP. MS. GEHRIN CREATED A HOSTILE AND INTIMIDATING WORK ENVIRONMENT FOR ME AND FOSTERED A GLASS CEILING, VOICED OFFENSIVE AND INFLAMMATORY ETHNIC AND RACIAL REMARKS, AND SOLICITED THE ASSISTANCE OF OTHERS (CYNTHIA CLASPILLE, STEPHANIE CUMMINGS AND DONNA HOWARD) IN HER EFFORTS TO UNDERMINE MY JOB PERFORMANCE.

IN RETALIATION OF MY HARRASMENT COMPLAINT AGAINST MS. GEHRIN TO HUMAN RESOURCES, I WAS PLACED ON A UNWARRENTED PERFORMANCE IMPROVEMENT PLAN (PIP) AND GIVEN JOB DUTIES THAT ARE TANTAMOUNT TO A DEMOTION ALBEIT MY JOB PERFORMANCE REVIEW REFLECTS DIFFERENTLY. THIS DEMONSTRATES MS. GEHRIN'S CONTINUED HARRASMENT AND INTIMIDATION OF WHICH THE COMPANY IS AWARE OF, SANCTIONS AND CONDONES. THIS SITUATION THREATENS MY CONTINUED EMPLOYMENT AT NPPC AND MINIMIZES MY OPPORTUNITIES FOR PROMOTION AND GROWTH WITHIN THE COMPANY.

Wherefore, plaintiff prays for (state what relief is sought):

BACK PAY, LOST WAGES, REINSTATEMENT, EMOTIONAL DISTRESS, PUNITIVE DAMAGES, ATTORNEY FEES, PROMOTION, CEASE AND DESIST ORDER, *front pay and compensatory damages.*

12. The acts set forth in paragraph 9 of this complaint are:

- (a) ✓ still being committed by the defendant.
- (b) _____ are no longer being committed by the defendant.
- (c) _____ may still be being committed by the defendant.

13. Plaintiff attaches to this complaint a copy of the charges filed with the Equal Employment Opportunity Commission, and submits said charges as a brief statement of the facts supporting this complaint.

Wherefore, plaintiff prays for (state what relief is sought):

Back pay, lost wages, re-instatement, emotional distress, punitive damages, promotion, cease and desist order and attorney fees, front pay and compensatory damages.

and such other relief as the Court would allow under Title VII of the Civil Rights Act of 1964, as amended.

Signed this 27 day of August, 2004.

Shelia E. Anderson-Taney

Signature of Plaintiff(s)